



A handwritten signature in black ink, appearing to read "CM Alston".

**Christopher M. Alston
U.S. Bankruptcy Judge**

(Dated as of Entered on Docket date above)

**UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF
WASHINGTON**

In re:

MIKHAIL NEVLER

MIKHAIL NEVLER

Plaintiff,

v.

MARK N. ROUSH II and CINDA JANE
ROUSH, husband and wife, and MELISSA L.
ROUSH, a single woman.

Defendants.

No. 22-11499-CMA

Adversary Case No. 22-01054-CMA

**ORDER GRANTING SUMMARY
JUDGMENT IN PART**

ORDER

THIS MATTER having come before the above-entitled Court on March 23, 2023 on

Defendants Mark N. Roush and Cinda Roush's Motion for Summary Judgment, the Court having reviewed the records and files herein, and having heard oral argument from the parties in attendance, considering itself fully advised, pursuant to the findings of fact and conclusions of law entered on the record by the Court at the conclusion of the hearing, IT IS HEREBY:

Order Granting Partial Summary Judgment
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**Buzzard O'Rourke, P.S.
attorneys at law**

Service Address
314 Harrison
Central
Washington
98531

Mailing Address

Contact Information

Buzzard O'Rourke

ORDERED that Defendants Mark N. Roush and Cinda Roush's Motion for Summary Judgment dismissing Plaintiffs claim for imposition of a resulting/constructive trust is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's claim for imposition of a resulting trust is hereby DISMISSED with prejudice.

IT IS FURTHER ORDERED that Defendants motion for Summary Judgment on Defendants Counterclaim for a declaratory judgment declaring that title to the Vashon Property is vested in Defendants Mark N. Roush and Cinda J. Roush, against any claims of Mikhail Nevler, or anyone claiming by or through him is GRANTED.

IT IS FURTHER ORDERED that Defendants Motion for Summary Judgment on Defendant's Counterclaim for a declaratory judgment declaring Plaintiff to be a tenant of the Vashon Property is DENIED.

///END OF ORDER///

Presented by:

Approved as to Form, Notice of Presentment
Waived:

/s/Eric J. Lanza

/s/Dorothy Bartholomew

Eric J. Lanza, WSBA 50042

Dorothy Bartholomew, WSBA 50042

Buzzard O'Rourke, P.S.

Dorothy Bartholomew, PLLC

314 Harrison Ave.

5310 12th St. E., Suite C.

Centralia, WA 98531

Fife, WA 98424

360.736.1108

253.922.2016

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Buzzard O'Rourke, P.S.

Service Address
314 Harrison
Central
Washing
98531

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Buzzard O'Rourke